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6

7 UNITED STATES DISTRICT COURT  
8 NORTHERN DISTRICT OF CALIFORNIA  
9 OAKLAND DIVISION

10 UNITED STATES OF AMERICA,	)	No. CR-10-00310-DMR
	)	
11 Plaintiff,	)	
	)	STIPULATED REQUEST TO CONTINUE
12 v.	)	HEARING DATE TO JULY 21, 2010 AND
	)	TO EXCLUDE TIME UNDER THE
13	)	SPEEDY TRIAL ACT AND <del>PROPOSED</del>
14 LA JUANA JONES-BAGGETT,	)	ORDER
	)	
15 Defendant.	)	Hearing Date: June 24, 2010
	)	Time: 10:00 a.m.
_____		

16  
17 The above-captioned matter is set on June 24, 2010 before this Court for a status hearing.  
18 The parties jointly request that the Court continue the matter to July 21, 2010 at 10:00 a.m., and  
19 that the Court exclude time under the Speedy Trial Act, 18 U.S.C. §§ 3161(h)(7)(A) and (B)(iv),  
20 between June 24, 2010 and July 21, 2010.

21 On April 20, 2010, the United States Attorney filed an information charging Ms. Jones-  
22 Baggett with misdemeanor theft of government property in violation of 18 U.S.C. § 641. If  
23 convicted, Ms. Jones-Baggett faces a maximum of one year imprisonment and a \$100,000 fine.  
24 On May 5, 2010, Ms. Jones-Baggett made her initial appearance before the Court. The Court  
25 arraigned Ms. Jones-Baggett and released her on her own recognizance. At the hearing, Ms.  
26 Jones-Baggett consented to the Court's jurisdiction.

Stip. Req. To Continue Hearing Date and to  
Exclude Time, CR-10-00310-DMR

1 The current status of the case is that the parties are negotiating this matter and anticipate  
 2 that there will be a negotiated disposition of the case. If there is a negotiated disposition, the  
 3 parties plan to submit a proposed plea agreement to the Court at least two days in advance of the  
 4 requested hearing date. In the meantime, the government has produced discovery to the defense  
 5 and defense counsel needs additional time to review and process the discovery provided. The  
 6 defense also requires additional time to discuss the discovery with Ms. Jones-Baggett and to  
 7 complete its investigation of the circumstances of the offense.

8 The requested continuance will allow the defense to complete its review of the discovery,  
 9 to investigate the underlying facts of the case, and to consult with Ms. Jones-Baggett. For this  
 10 reason, the parties agree that the failure to grant this continuance would unreasonably deny  
 11 counsel for defendant the reasonable time necessary for effective preparation, taking into  
 12 account the exercise of due diligence.

13 The parties further stipulate and agree that the ends of justice served by this continuance  
 14 outweigh the best interest of the public and the defendant in a speedy trial. Accordingly, the  
 15 parties agree that the period of time from June 24, 2010 to July 21, 2010, should be excluded in  
 16 accordance with the provisions of the Speedy Trial Act, 18 U.S.C. §§ 3161(h)(7)(A) and (B)(iv),  
 17 for effective preparation of defense counsel, taking into account the exercise of due diligence.

18  
 19 DATED: June 23, 2010

\_\_\_\_\_  
 /S/  
 MATTHEW DELLABETTA  
 Law Clerk, United States Attorney's Office

20  
 21  
 22 DATED: June 23, 2010

\_\_\_\_\_  
 /S/  
 ANGELA M. HANSEN  
 Assistant Federal Public Defender

23  
 24 I hereby attest that I have on file all holograph signatures for any signatures indicated by a "conformed" signature (/S/)  
 25 within this e-filed document.

\_\_\_\_\_  
 /S/ ANGELA M. HANSEN

**ORDER**

Based on the reasons provided in the stipulation of the parties above, the Court hereby

**FINDS:**

1. Given defense counsel's need to complete its review the discovery;
2. Given that the defense needs additional time to continue to investigate the underlying facts of the case and to consult with Ms. Jones-Baggett;
3. Given that these above-listed tasks are necessary to the defense preparation of the case and that the failure to grant the requested continuance would unreasonably deny counsel for defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence;
4. Given that the ends of justice served by this continuance outweigh the best interest of the public and the defendant in a speedy trial;

Based on these findings, it is ordered that the status hearing date of June 24, 2010 scheduled at 10:00 a.m. is vacated and reset for July 21, 2010, at 10:00 a.m. It is further ordered that time is excluded pursuant to the Speedy Trial Act, 18 U.S.C. §§ 3161(h)(7)(A) and (B)(iv), from June 24, 2010 to July 21, 2010.

June 23, 2010



HON. DONNA M. RYU  
United States Magistrate Judge